

**WEDNESDAY, APRIL 8, 1981**

**THIRTY-FIRST LEGISLATIVE DAY**

The House met at 1:30 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother Walter Leaver, Minister, Antioch Church of Christ, Antioch, Tennessee.

Representative Dick Clark led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 98

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

The Speaker announced that Representative Phillips was excused because of business.

**EXPLANATION OF VOTE**

Dear Mr. Speaker:

I request that this explanation of my vote on Senate Bill No. 469 (House Bill 295) be spread upon the Journal.

It is my belief that my obligation is, in order, to 1) the Constitution of Tennessee and the United States, 2) my constituents.

The Tennessee Constitution provides that judges compensation "shall not be increased or diminished" during their service and House Bill 295 violates that directive.

Accordingly, I proposed amendments to lower the base salary of judges and to remove any escalator from those salaries.

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After failure of the amendments, I voted "Aye" on the bill intending to delay final action with a motion to reconsider and spread that motion on the House Journal: the Speaker Pro-Tem failed to recognize me for that purpose, therefore, the Journal vote of "Aye" should be recognized not as being in favor of House Bill 295 but as an unsuccessful parliamentary maneuver.

DAVID Y. COPELAND

**MESSAGE FROM THE GOVERNOR**

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 151 without his signature.

JULIA GIBBONS,  
*Counsel to the Governor.*

Dear Mr. Speaker,

I hereby return House Bill No. 151 without my signature because the policy it sets is one that is unwise and unnecessary.

This bill will allow a small number of employees to use their annual leave to engage in non-state business without first obtaining the approval of their departments. For the first time, this bill will prevent the state government's supervisors and managers from exercising their discretion in approving the use of annual leave. Under this bill, certain employees -- chosen not by their supervisors but by the Tennessee State Employees Association -- will be able to take time away from their jobs even if their workload would not otherwise permit it. This will mean that their work will not be done or that it will have to be done by others who do not have the privilege of taking time off without permission. This is unfair to the employees who remain and to members of the public who need and expect state services.

The bill will be of little benefit to employees and of none whatsoever to the state or the public. The problems created by this legislation would be more acute in some state programs than other. For example, it is not in the best interest of state government and the taxpayers who support it for prison guards, civil defense employees or food stamp workers to be absent from their posts without permission.

Sincerely,

Lamar Alexander

House Bill No. 151 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 42, 43, 83, 105, 219, 375, 560 and 568; also, Senate Joint Resolution No. 99; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 155, 719, 752 and 835; House Resolution No. 24; and House Joint Resolutions Nos. 89 and 132; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 155, 719, 752 and 835; House Resolution No. 24; House Joint Resolutions Nos. 89 and 132; Senate Bills Nos. 42, 43, 83, 105, 219, 375, 560 and 568; Senate Joint Resolution No. 99.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 8, 418, 1228, 1232, 1235, 1236, 1238 and 1241; and House Joint Resolution No. 135 with his approval.

JULIA GIBBONS,  
*Counsel to the Governor.*

CALENDAR

Mr. Henry (Roane) moved that House Bill No. 687 be placed on the Calendar for Wednesday, April 22, 1981, which motion prevailed.

House Bill No. 1078—To amend Section 7-65-124(2), Code.

Mr. Martin moved that House Bill No. 1078 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1078 by deleting the words and figures "1970 U.S. census" from the amendatory language of Section 1 and substituting instead the words and figures "1970 federal census of population or any subsequent federal census".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1078, as amended, passed its third and final consideration by the following vote:

Ayes .....	97
Noes .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley,

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Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

Representatives voting no was: Shirley—1.

A motion to reconsider was tabled.

House Bill No. 893—To include parking facilites within definition of public works.

Mr. Martin moved that House Bill No. 893 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	1
Present and not voting .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frenslley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

Representative voting no was: Shirley—1.

Representative present and not voting was: Small—1.

A motion to reconsider was tabled.

House Bill No. 436—To provide for agricultural fairs youth advisory council.

Mr. Burnett moved that House Bill No. 436 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frenslley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson

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(Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 512—To establish pilot program, Hamilton County.

Mr. Starnes moved that House Bill No. 512 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 512 by adding to the end of the language of Section 2 the following new language:

It is the intent of the general assembly that such new approach to vocational education should not reduce or diminish the emphasis on vocational education. Such program, under the guidance and authority of the board of regents, should be without reduction in the amount of time which the student spends in practical work and study in shop areas. Such program should also be without increases in the admission standards or admission or enrollment fees which are equivalent to standards of colleges and universities.

On motion, the amendment was adopted.

Thereupon, House Bill No. 512, as amended, passed its third and final consideration by the following vote:

Ayes .....	94
Noes .....	1
Present and not voting .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

Representative voting no was: Wheeler—1.

Representative present and not voting was: Stafford—1.

A motion to reconsider was tabled.

House Bill No. 479—To amend Section 24-5-113, Code.

Mr. Buck moved that House Bill No. 479 be passed on third and final consideration.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 479 by deleting Section 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 24-5-113, is amended by deleting subsection (c) in its entirety and substituting instead the following:

(c) The prima facie presumption raised in subsection (a) shall not apply when the medical, hospital and doctor bills total in excess of two thousand five hundred dollars (\$2500).

In any civil action in which the plaintiff seeks to recover medical, hospital or doctor bills in excess of two thousand five hundred dollars (\$2500) paid or incurred because of any illness, disease or injury such plaintiff shall itemize all such bills in his complaint and file copies of such bills as exhibits. Such itemization in the complaint shall be prima facie evidence that all bills so itemized were paid or incurred because of such illness, disease or injury unless the defendant, in his answer to the complaint, specifically objects to the claim that any or all of such bills were so paid or incurred.

In the case of all bills in excess of two thousand five hundred dollars (\$2,500), the plaintiff shall be required to prove that all such bills to which the defendant objected in his answer were paid or incurred because of any illness, disease or injury in issue. Such proof shall be prima facie evidence that the bills so paid or incurred were necessary and reasonable. Itemization in the complaint of any medical bills over two thousand five hundred dollars (\$2,500) paid or incurred which are not objected to in the answer shall be prima facie evidence that such bills were necessary and reasonable.

If a medical, hospital, or doctor bill in excess of two thousand five hundred dollars (\$2,500) is claimed to have been paid or incurred because of any illness, disease or injury in issue after the date on which the complaint is filed, the plaintiff may amend his complaint to itemize such additional bills. The defendant shall then have the opportunity to object to any or all of such additional bills itemized by amending his answer. Following the filing of such amended answer, the provisions of this subsection shall govern any presumption that may arise or any proof that may be required.

On motion, the amendment was adopted.

Thereupon, House Bill No. 479, as amended, passed its third and final consideration by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson

(Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

A motion to reconsider was tabled.

House Bill No. 1011—To regulate Board of Reclamation Review.

Mr. Murphy (Davidson) moved that House Bill No. 1011 be passed on third and final consideration.

Mr. Murphy (Davidson) moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1011 by deleting in the amendatory language of Section 1 the words “Commissioner of the Department of Conservation” and by substituting instead the words “Commissioner of the Department of Agriculture”.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1011, as amended, passed its third and final consideration by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—98.

A motion to reconsider was tabled.

On motion, Senate Bill No. 163 was recalled from the Committee on State and Local Government.

House Bill No. 1104—To provide for election of Chairman, county legislative body.

On motion, House Bill No. 1104 was made to conform with Senate Bill No. 163.

On motion, Senate Bill No. 163, on same subject, was substituted for House Bill No. 1104.

Mr. Naifeh moved that Senate Bill No. 163 be passed on third and final consideration.

Mr. Johnson moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 163 by inserting at the end of the first sentence of the proposed 5-5-103(b) which ends with the phrase "or county executive to be its chairman.", a new sentence which shall be as follows:

"If any county commission elects as its chairman the county executive, and such county executive accepts the position of chairman of the county commission, then the county executive shall relinquish his veto power, as provided in T.C.A. § 5-6-107, for so long as he remains chairman of the county commission."

On motion, the amendment was adopted.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 163 by deleting the figure, (8,500) and substituting instead the following "(8,500) and counties having a population of not less than (11,100) nor more than (11,200)."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 163, as amended, passed its third and final consideration by the following vote:

Ayes .....	90
Noes .....	6

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

Representatives voting no were: Brewer, DeBerry, Johnson, Lowe, McKinney and Wix—6.

A motion to reconsider was tabled.

Mr. Lashlee moved that House Bill No. 9 be placed on the Calendar for Wednesday, April 22, 1981, which motion prevailed.

Mr. Speaker moved that House Bill No. 927 be placed on the Calendar for Monday, April 13, 1981, which motion prevailed.

House Bill No. 982—To make supplemental appropriations, State Government.

Mr. Henry (Blount) moved that House Bill No. 982 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:



AMENDMENT NO. 1

Amend House Bill No. 982 by deleting the following words and figures in Section 1:

I. EXECUTIVE	1980-81
1. Department of Public Health	
1. Medicaid	
1.1 Medicaid Services .....	\$11,868,500.00
1.2 Intermediate Care Nursing Home Program .....	931,500.00
Total Medicaid .....	\$12,800,000.00
Total Title I - 1 .....	\$12,800,000.00

and by substituting instead the following:

I. EXECUTIVE	1980-81
1. Department of Public Health	
1. Medicaid	
1.1 Medicaid Services .....	\$11,868,500.00
1.2 Intermediate Care Nursing Home Program .....	931,500.00
Total Medicaid .....	\$12,800,000.00
Total Title I - 1 .....	\$12,800,000.00
2. Department of Human Services	
1. Administration .....	\$104,700.00
2. Field Operations .....	42,700.00
3. County Rentals .....	143,600.00
4. AFDC Grants .....	2,495,400.00
5. Family Assistance .....	383,300.00
6. Board & Care .....	121,900.00
Total Title I - 2 .....	\$3,291,600.00

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 982 by deleting the following language from Section 2:

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Federal aid funds granted to the State for the use of or to be administered by any department, institution, or agency, are likewise appropriated.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

### AMENDMENT NO. 3

Amend House Bill No. 982 by deleting Section 3 in its entirety and by renumbering subsequent sections accordingly.

On motion, the amendment was adopted.

Mr. McKinney moved that House Bill No. 982 be placed on the Calendar for Monday, April 13, 1981, which motion prevailed.

House Bill No. 315—To amend Section 67-5810(5), Code.

On motion, House Bill No. 315 was made to conform with Senate Bill No. 471.

On motion, Senate Bill No. 471, on same subject, was substituted for House Bill No. 315.

Mr. Davis (Hamilton) moved that Senate Bill No. 471 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

House Bill No. 532—To amend Section 45-3-902, Code.

Mr. Davis (Hamilton) moved that House Bill No. 532 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe,

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McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 897—To regulate hunting and chasing raccoons.

Mr. Robertson moved that House Bill No. 897 be passed on third and final consideration.

Mr. Hillis moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 897 by deleting Sections 1 and 2 in their entirety and by substituting instead the following and by renumbering the subsequent section accordingly:

Section 1. Tennessee Code Annotated, Section 51-441 is amended by deleting the word and punctuation "Claiborne," in the second paragraph of the section.

Tennessee Code Annotated, Section 51-441 is further amended by deleting the words "Grainger County and" in the third paragraph of the section.

Tennessee Code Annotated, Section 51-441 is further amended by inserting the words and punctuation "Claiborne, Grainger," immediately preceding the word "Hancock" in the fifth paragraph of the section.

On motion, the amendment was adopted.

Mr. Robertson moved that House Bill No. 897 be placed on the Calendar for Wednesday, April 15, 1981, which motion prevailed.

Mr. Speaker pro tem Brewer relinquished the Chair to Mr. Martin, Speaker pro tem.

House Bill No. 1002—To amend Strip Mining Law.

On motion, House Bill No. 1002 was made to conform with Senate Bill No. 1041.

On motion, Senate Bill No. 1041, on same subject, was substituted for House Bill No. 1002.

Mr. Robertson moved that Senate Bill No. 1041 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1041 in Section 3 by deleting the words "mining and placing of spoil" and substituting therefor the words "surface mining operations except as otherwise permitted by this section"

Mr. Robertson moved that the Amendment be tabled, which motion prevailed by the following vote:

Ayes .....	50
Noes .....	40
Present and not voting .....	2

Representatives voting aye were: Baker, Bell (Knox), Bewley, Bragg, Burnett, Chiles, Clark (Sumner), Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, King (Washington), Lashlee, McNally, Montgomery, Moore, Naifeh, Percy, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Wheeler, Whitson and Wolfe—50.

Representatives voting no were: Akard, Bivens, Buck, Byrd, Carter, Clark (Davidson), Cobb, Copeland, Covington, Crain, DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Jared, Kernell, King (Shelby), Love, Lowe, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Pickering, Rhinehart, Robinson (Davidson), Shirley, Spence, Turner, Withers, Wix, Wood, Work and Yelton—40.

Representatives present and not voting were: Bell (Wilson) and Stafford—2.

Mr. Spence moved to amend as follows:

### AMENDMENT NO. 2

Amend Senate Bill No. 1041 by deleting Section 7 in its entirety.

Mr. Robertson moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes .....	62
Noes .....	28

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Carter, Chiles, Clark (Sumner), Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Duer, Duncan, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, King (Washington), Lashlee, Love, McAfee, McNally, Moore, Murray, Naifeh, Percy, Pickering, Pruitt, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Wheeler, Whitson, Wix, Wolfe, Wood and Work—62.

Representatives voting no were: Buck, Byrd, Clark (Davidson), Cobb, Covington, Crain, DeBerry, Disspayne, Ellis, Gaia, Jared, Jones, Kent, Kernell, King (Shelby), Lowe, McKinney, Martin, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Owen, Robinson (Davidson), Spence, Turner, Withers and Yelton—28.

Mr. Murphy (Davidson) moved to amend as follows:

### AMENDMENT NO. 3

Amend Senate Bill No. 1041 in Section 9 by inserting a period after the words "and meet the requirements of P.L. 95-87" and deleting the words "but be no more restrictive than is mandated by P.L. 95-87".

On motion, the amendment was adopted.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 1041 by deleting Section 1 in its entirety and substituting therefor the following:

A successor in interest to a permittee who submits a complete application within 30 (thirty) days of succeeding to such interest, is able to obtain the bond coverage of the original permittee, and has no current notices of violation or previous permit suspensions or revocations, or bond forfeitures, may continue surface coal mining and reclamation operations according to the approved mining and reclamation plan of the original permittee until such successor's application is granted or denied, not to exceed the termination date of the original permit.

Mr. Robertson moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes .....	59
Noes .....	32
Present and not voting .....	2

Representatives voting aye were: Baker, Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Chiles, Clark (Sumner), Copeland, Crain, Davidson, Davis (Hamilton), Davis (Pickett), Dills, Duer, Duncan, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Kelley, King (Shelby), King (Washington), Lashlee, Love, McAfee, McNally, Miller, Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Stallings, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood and Work—59.

Representatives voting no were: Akard, Bell (Knox), Buck, Byrd, Carter, Clark (Davidson), Cobb, Covington, Davis (Gibson), DeBerry, Dissspayne, Ellis, Gaia, Jared, Jones, Kent, Kernell, Lowe, McKinney, Martin, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Robinson (Davidson), Robinson (Hamilton), Shirley, Spence, Sterling, Turner, Withers and Yelton—32.

Representatives present and not voting were: Johnson and Richardson—2.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 1041 by deleting Section 5 in its entirety and substituting therefor the following:

No permit shall be issued to any applicant, operator or subcontractor who is in violation of this section until such violations have been corrected or brought into compliance with this part or such applicant, operator or subcontractor deposits cash bond with the Commissioner to assure such correction or compliance.

Mr. Robertson moved that Amendment No. 5 be tabled, which motion failed by the following vote:

Ayes .....	43
Noes .....	50

Representatives voting aye were: Baker, Bell (Wilson), Bewley, Brewer, Burnett, Chiles, Clark (Sumner), Davidson, Davis (Pickett), DeBerry, Dills, Duer, Duncan, Ford, Frensley, Gill, Harrill, Henry (Roane), Hudson, Huskey, Kelley, King (Washington), McNally, Miller, Murray, Naifeh, Percy, Robertson, Robinson (Washington), Scruggs,

Severance, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson and Work 13.

Representatives voting no were: Akard, Bell (Knox), Bivens, Buck, Byrd, Carter, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davis (Gibson), DePriest, Ellis, Gaia, Henry (Blount), Hillis, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), Lashlee, Love, Lowe, McAfee, McKinney, Martin, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Owen, Pickering, Pruitt, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Shockley, Small, Spence, Turner, Withers, Wix, Wolfe, Wood and Yelton—50.

Mr. Robertson moved to amend Amendment No. 5 as follows:

**AMENDMENT NO. 1 TO AMENDMENT NO. 5**

Amend Amendment No. 5 by adding the following:

However if such violation is upon appeal this provision shall not be applicable.

On motion, Amendment No. 1 to Amendment No. 5 was adopted.

Thereupon, Amendment No. 5, as amended, was adopted.

Mr. Murphy (Davidson) moved to amend as follows:

**AMENDMENT NO. 6**

Amend Senate Bill No. 1041 in Section 4 by inserting the following words after the word "Tennessee":

and the applicant deposits a cash performance bond with the Commissioner in an amount equal to the estimated cost of completing reclamation for the area covered by the previously suspended or revoked permit which has yet to be reclaimed.

Mr. Robertson moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes .....	59
Noes .....	32
Present and not voting .....	1

Representatives voting aye were: Baker, Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Chiles, Clark (Sumner), Davidson, Davis (Hamilton), Davis (Pickett), Dills, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, King (Washington), Lashlee, McAfee, Miller, Murray, Naifeh, Owen, Percy, Pickering, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Stallings, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wolfe, Wood and Work—59.

Representatives voting no were: Akard, Bell (Knox), Brewer, Buck, Cobb, Covington, Crain, Davis (Gibson), DeBerry, Disspayne, Gaia, Jones, Kent, Kernell, King (Shelby), Love, Lowe, McKinney, Martin, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Pruitt, Robinson (Davidson), Shirley, Spence, Sterling, Turner, Withers, Wix and Yelton—32.

Representative present and not voting was: Byrd—1.

Thereupon, Senate Bill No. 1041, as amended, passed its third and final consideration

by the following vote:

Ayes .....	71
Noes .....	19
Present and not voting .....	5

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Chiles, Clark (Sumner), Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, King (Shelby), King (Washington), Lashlee, Lowe, McAfee, McKinney, Miller, Montgomery, Moore, Murray, Naifeh, Owen, Percy, Pickering, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Stallings, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wolfe, Wood and Work—71.

Representatives voting no were: Brewer, Buck, Carter, Clark (Davidson), Crain, Dills, Gaia, Kent, Kernell, Love, McNally, Martin, Murphy (Davidson), Pruitt, Robinson (Davidson), Shirley, Spence, Turner and Wix—19.

Representatives present and not voting were: Bell (Knox), Rhinehart, Sterling, Withers and Yelton—5.

Mr. Covington, having voted with the prevailing side, moved that the House reconsider its action in passing Senate Bill No. 1041 on third and final consideration, and requested that the motion be spread upon the journal.

The motion was duly seconded.

The Speaker announced that pursuant to Rule No. 38, Mr. Covington would have exclusive control of the motion to reconsider Senate Bill No. 1041 for the remainder of today and all day Thursday, April 9, 1981.

House Bill No. 973—To regulate vocational-technical school system.

Mr. Work moved that House Bill No. 973 be passed on third and final consideration.

Mr. Lashlee moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 973 by adding the following language at the end of Section 7:

Provided, further, the purposes of this act shall be accomplished with existing staff personnel and with existing funding levels.

On motion, the amendment was adopted.

Mr. Starnes moved to amend as follows:

#### AMENDMENT NO. 2

Amend House Bill No. 973 by adding a new section, as follows, immediately before the present effective date section and by renumbering the effective date section accordingly:

SECTION—. The provisions of this act shall not apply to any area vocational school, state technical institute, or technical community college located in a county with a population of not less than two hundred fifty thousand (250,000) nor more than

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two hundred seventy five thousand (275,000) persons according to the 1970 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Burnett moved to amend as follows:

### AMENDMENT NO. 3

Amend House Bill No. 973 by adding a new section, as follows, to be numbered appropriately immediately before the effective date section and renumbering the effective date section accordingly:

Section—. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not effect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Mr. Cobb moved that House Bill No. 973 be placed on the Calendar for Wednesday, April 15, 1981.

Mr. Burnett moved that the motion be tabled, which motion failed by the following vote:

Ayes . . . . .	42
Noes . . . . .	49
Present and not voting . . . . .	2

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Buck, Burnett, Carter, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Ellis, Gill, Hillis, Jared, Johnson, Jones, King (Shelby), Love, Lowe, McKinney, Miller, Naifeh, Pickering, Pruitt, Richardson, Robinson (Davidson), Shirley, Shockley, Stallings, Starnes, Tanner, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter—42.

Representatives voting no were: Baker, Bell (Knox), Bewley, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Davis (Pickett), Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, Kernell, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Murray, Owen, Percy, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Smith, Spence, Stafford, Sterling, Turner, Ussery, Wallace, Whitson, Withers, Wolfe and Wood—49.

Representatives present and not voting were: Bragg and Brewer—2.

Mr. Cobb moved that House Bill No. 973 be re-referred to the Committee on Calendar and Rules.

Mr. Lashlee moved that the motion be tabled, which motion prevailed by the following vote:

Ayes . . . . .	48
Noes . . . . .	43
Present and not voting . . . . .	2



Representatives voting aye were: Akard, Bell (Wilson), Bivens, Buck, Burnett, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gill, Hillis, Jared, Johnson, Jones, Kent, Lashlee, Love, Lowe, McKinney, Miller, Murphy (Davidson), Naifeh, Owen, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Shockley, Small, Stallings, Starnes, Tanner, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter—48.

Representatives voting no were: Baker, Bell (Knox), Bewley, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kernell, King (Shelby), King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Murray, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Smith, Spence, Stafford, Sterling, Turner, Ussery, Wallace, Whitson, Withers, Wolfe and Wood—43.

Representatives present and not voting were: Bragg and Brewer—2.

Mr. Disspayne moved the previous question, which motion failed by the following vote:

Ayes .....	37
Noes .....	53
Present and not voting .....	2

Representatives voting aye were: Akard, Bivens, Buck, Carter, Clark (Davidson), Covington, Crain, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Ellis, Gill, Hillis, Hurley, Jared, Johnson, Jones, Kent, King (Shelby), Lashlee, Love, Lowe, McKinney, Miller, Murphy (Davidson), Naifeh, Pickering, Pruitt, Richardson, Robinson (Davidson), Robinson (Washington), Stallings, Tanner, Wallace, Work and Yelton—37.

Representatives voting no were: Baker, Bell (Knox), Bell (Wilson), Bewley, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Davidson, Davis (Hamilton), DeBerry, DePriest, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Huskey, Kernell, King (Washington), McAfee, McNally, Martin, Moore, Murray, Owen, Percy, Rhinehart, Robertson, Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Starnes, Sterling, Turner, Ussery, Wheeler, Whitson, Whithers, Wix, Wolfe and Wood—53.

Representatives present and not voting were: Bragg and Brewer—2.

Ms. DeBerry moved that House Bill No. 973 be placed on the Calendar for Wednesday, April 15, 1981, which motion prevailed.

House Bill No. 1053—To regulate use of dimethyl sulfoxhide.

Mr. Work moved that House Bill No. 1053 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	0
Present and not voting .....	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McKinney,

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McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

Representatives present and not voting were: Carter, Duer, McAfee and Stafford—4.

A motion to reconsider was tabled.

House Bill No. 548—To make certain provisions, employment of teachers.

On motion, House Bill No. 548 was made to conform with Senate Bill No. 360.

On motion, Senate Bill No. 360, on same subject, was substituted for House Bill No. 548.

Mr. Brewer moved that Senate Bill No. 360 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

A motion to reconsider was tabled.

House Bill No. 834—To allow reporting fire losses, assist investigations.

Mr. Kent moved that House Bill No. 834 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

### AMENDMENT NO. 1

Amend House Bill No. 834 by inserting in Section 1, subsection (c) between the words "of malice," and the words "no authorized agency," the words "or negligence."

On motion, the amendment was adopted.

Mr. Kent moved to amend as follows:

### AMENDMENT NO. 2

Amend House Bill No. 834 by adding a new section, as follows, to be numbered appropriately immediately before the effective date section and renumbering the effective date section accordingly:

Section—. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Thereupon, House Bill No. 834, as amended, passed its third and final consideration by the following vote:

Ayes .....	93
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

Representative present and not voting was: Jones—1.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 832

House Bill No. 832—To make certain provisions, granting of furloughs to inmates.

Mr. Bell (Knox) moved that House Bill No. 832 be passed on third and final consideration.

Mr. Small moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 832 by adding to the amendatory language of Section 1 between the first and second sentences the following sentence:

Provided, however, that no such furlough shall be granted unless the pregnant female inmate reveals to the best of her knowledge the identity of the father of the child which she is carrying.

Amendment No. 4 failed by the following vote:

Ayes .....	21
Noes .....	57
Present and not voting .....	5

Representatives voting aye were: Akard, Byrd, Davis (Gibson), Duncan, Frensley, Hillis, Lashlee, McNally, Naifeh, Percy, Robinson (Hamilton), Shirley, Small, Smith, Stallings, Sterling, Tanner, Turner, Wallace, Wolfe and Wood—21.

Representatives voting no were: Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Gill, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Jared, Kernell, King (Shelby), King (Washington), Lowe, McAfee, McKinney, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Pickering, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Spence, Stafford, Ussery, Wheeler, Whitson, Withers and Work—57.

Representatives present and not voting were: Baker, Owen, Rhinehart, Starnes and Yelton—5.

Ms. Bell (Knox) moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill No. 832 as follows:

SECTION . The provisions of this act are hereby declared to be severable. If any of its sections, provisions, exceptions, sentences, clauses, phrases or parts be held unconstitutional or void, the remainder of this act shall continue in full force and effect, it being the legislative intent that this act would have passed even if such unconstitutional or void matter had not been included herein.

On motion, the amendment was adopted.

Ms. Duer moved to amend as follows:

AMENDMENT NO. 6

Amend House Bill No. 832 by adding to the amendatory language of Section 1 between the first and second sentences the following sentence:

Provided, further, that if the pregnancy occurs while the female inmate is incarcerated, she shall not be eligible for furlough.

On motion, the amendment was adopted.

Thereupon, House Bill No. 832, as amended, passed its third and final consideration by the following vote:

Ayes .....	82
Noes .....	8
Present and not voting .....	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Spence, Stafford, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix and Work—82.

Representatives voting no were: Bell (Wilson), McAfee, Murray, Small, Smith, Stallings, Wolfe and Wood—8.

Representatives present and not voting were: Clark (Davidson), Covington, Frensley and Yelton—4.

A motion to reconsider was tabled.

Mr. Bell (Wilson) moved that House Bills Nos. 1247 and 1248 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 340—To amend Section 56-7-1003, Code.

Mr. Murphy (Davidson) moved that House Bill No. 340 be passed on third and final consideration. .

Mr. Wheeler moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 340 by deleting the following language from the amendatory language of Section 1:

shall not exclude such benefits, if any, by reason of treatment or confinement at a particular facility, provided the facility is

and by substituting instead the following language:

shall reimburse for such benefits, if any, when such benefits are provided at a facility which is

AND FURTHER AMEND by adding the following as a new section, to be appropriately numbered, immediately preceding the effective date section, renumbering subsequent sections accordingly:

Tennessee Code Annotated, Section 56-7-1003, is further amended in subsection (e) by deleting the following language:

shall not exclude such benefits, if any, by reason of treatment or confinement at a particular facility, provided the facility is:

and by substituting instead the following language:

shall reimburse for such benefits, if any, when such benefits are provided at a facility which is:

On motion, the amendment was adopted.

Thereupon, House Bill No. 340, as amended, passed its third and final consideration by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (David-

son), Murray, Naifeh, Owen, Percy, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

House Bill No. 1091—To regulate registration of instruments, certain counties.

Mr. McNally moved that House Bill No. 1091 be passed on third and final consideration.

Mr. McNally moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1091 by adding the following language at the end of the amendatory language of Section 1:

Provided, however, that if the person seeking to register such writing signs an affidavit that such writing is the best available copy or original, the register shall accept such writing for registration notwithstanding that such writing is not legible or suitable for reproduction.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1091, as amended, passed its third and final consideration by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

Mr. Kent moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 178 out of order, which motion prevailed.

House Joint Resolution No. 178—Relative to honoring Henry R. Evans—By Martin, Kent, Shirley, Sterling, Moore, Gaia, Withers, DeBerry, Brewer, King (Shelby) and Gill.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Kent, the resolution was adopted.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 509—To compensate certain employees, T.B.I.

SENATE AMENDMENT NO. 1

Amend House Bill No. 509 by adding the following language at the end of Section 1:

Provided, further, the state board of claims shall act within three (3) weeks of notice of such a claim of disability.

Mr. Naifeh moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 661—To make provisions, certification of teachers.

SENATE AMENDMENT NO. 1

Amend House Bill No. 661 by deleting from the amendatory language of Section 2 the following:

Such tests shall examine the general knowledge of the person in spelling, grammar, and other subjects which are relevant to all courses the person would be likely to teach as well as specific knowledge of the subjects for which such person desires certification to teach. The board shall establish passing scores or levels of ability in both the general and the specific subject tests.

and by substituting instead the following:

Such tests shall examine the general knowledge of the person in spelling, grammar, and other subjects which are relevant to all courses the person would be likely to teach. The board shall establish passing scores or levels of ability for such test or tests.

Mr. Lashlee moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 939—To define equity participations, loan transactions.

SENATE AMENDMENT NO. 2

Amend House Bill No. 939 by deleting the words and figures “two hundred fifty thousand dollars (\$250,000)” wherever they appear in the amendatory language of Section 2 and substituting instead the words and figures “one million dollars (\$1,000,000)”.

SENATE AMENDMENT NO. 3

Amend House Bill No. 939 by amending Section 2 by inserting between the word liable and the word with in the last sentence of Section 2, the following words.

“as to the financing”

So it will make the sentence read as follows. “The lender shall not be deemed to be a partner or joint venture with the borrower, or otherwise jointly liable “as to the financing” with the borrower as a result of such participation unless the agreement between the lender and borrower shall expressly make the lender so liable.

SENATE AMENDMENT NO. 4

Amend House Bill No. 939 by adding to the amendatory language of Section 1 the following:

Provided, however, no equity participation in agricultural land shall be entered into nor shall any equity participation be secured in any part by agricultural land.

Mr. Tanner moved that the House concur in Senate Amendments Nos. 2, 3 and 4, which motion prevailed by the following vote:

Ayes .....	88
Noes .....	5
Present and not voting .....	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Disspayne, Duer, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin,



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Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—88.

Representatives voting no were: Buck, Crain, Dills, Duncan and Stafford—5.

Representative present and not voting was: DeBerry—1.

A motion to reconsider was tabled.

### SECOND ROLL CALL

The roll call was taken with the following results:

Present ..... 96

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Duer, Duncan, Ellis, Ford, Frensey, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

### INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 173—Relative to honoring Philip Mattingly—By Phillips.

Under the rules, House Joint Resolution No. 173 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 174—Relative to calling for resignation, David Freeman—By Stafford and Lashlee.

The Speaker referred House Joint Resolution No. 174 to the Committee on Conservation and Environment.

House Joint Resolution No. 175—Relative to commending members, supervisory training 1—By Chiles and Henry (Roane).

Under the rules, House Joint Resolution No. 175 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 177—Relative to honoring Lady Volunteers—By Hudson, Owen, Scruggs, Miller, Bell (Knox), Severance and Smith.

Under the rules, House Joint Resolution No. 177 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 179—Relative to honoring Giles County High School girls basketball team—By DePriest.

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Under the rules, House Joint Resolution No. 179 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 180—Relative to honoring Coach, Richland High School girls basketball team—By DePriest.

Under the rules, House Joint Resolution No. 180 was referred to the Committee on Calendar and Rules.

### **INTRODUCTION OF BILLS**

House Bill No. 1268—to create Gadsden Special School District—By Wallace.

Passed first consideration.

House Bill No. 1269—To impose certain privilege tax, Fayette County—By Stallings and Wolfe.

Passed first consideration.

House Bill No. 1270—To amend fees, registers in certain counties—By Burnett and Henry (Roane).

Passed first consideration.

House Bill No. 1271—To compensate mayor, City of Trenton—By Davis (Gibson).

Passed first consideration.

House Bill No. 1272—To provide for enforcement, alcoholic beverage laws—By Covington.

Passed first consideration.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 21—To amend Section 16-4-113, Code.

Passed first consideration.

Senate Bill No. 22—To amend Section 16-2-102, Code.

Passed first consideration.

Senate Bill No. 63—To regulate visitation, grandparents.

Passed first consideration.

Senate Bill No. 208—To amend Titles 33 and 37, Code.

Passed first consideration.

Senate Bill No. 344—To amend Section 16-5-107, Code.

Passed first consideration.

Senate Bill No. 413—To amend Section 67-672, Code.

Passed first consideration.

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Senate Bill No. 439—To require referendum, annexation, certain counties.

Passed first consideration.

Senate Bill No. 529—To amend Title 40, Chapter 12, Code.

Passed first consideration.

### **HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 1265—To amend Section 8-10-101, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1266—To amend Charter, Alcoa.

Passed second consideration and held without reference.

House Bill No. 1267—To amend Section 16-15-205(a), Code.

Passed second consideration and referred to Committee on State and Local Government.

### **STANDING COMMITTEE REPORTS**

#### **AGRICULTURE**

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for passage: House Bill No. 556 (with amendment).

PICKERING, *Chairman.*

Under the rules, House Bill No. 556 was transmitted to the Committee on Calendar and Rules.

#### **COMMERCE**

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 475, 573, 626, 721, 722, 756, 839 (with amendment), 937, 1062 (with amendment), 1092 (with amendment), 1108 (with amendment), 1187 (with amendment) and 1231.

MURRAY, *Chairman.*

Under the rules, House Bills Nos. 475, 573, 626, 721, 722, 756, 839, 937, 1062, 1092, 1108, 1187 and 1231 were transmitted to the Committee on Calendar and Rules.

#### **EDUCATION**

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 21 (with amendment), 222 (with amendment), 223, 234 (with amendment), 502 (with amendment) and 1197 (with amendment) and Senate Joint Resolution No. 19.

LASHLEE, *Chairman.*

Under the rules, House Bills Nos. 21, 222, 223, 234, 502, 1197 and Senate Joint Resolution No. 19 were transmitted to the Committee on Calendar and Rules.

**FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 377 (with amendment), 406, 699, 724, 725 (with amendment), 727, 762, 768, 935, 1030, 1044, 1073, 1112, 1113 and 1124.

BRAGG, *Chairman.*

Under the rules, House Bills Nos. 377, 406, 699, 724, 725, 727, 762, 768, 935, 1030, 1044, 1073, 1112, 1113 and 1124 were transmitted to the Committee on Calendar and Rules.

**GENERAL WELFARE**

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 424, 501 (with amendment), 1001 (with amendment), 1088 and 1157 (with amendment) and further recommend that pursuant to House Rule No. 70, House Bills Nos. 1088 and 1157 be referred to the Committee on Finance, Ways and Means.

STARNES, *Chairman.*

Under the rules, House Bills Nos. 424, 501 and 1001 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 1088 and 1157 to the Committee on Finance, Ways and Means.

**JUDICIARY**

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 170, 510 (with amendment) 784, 968, 1151 and 1204 and further recommend that pursuant to House Rule No. 70, House Bills Nos. 510, 784 and 1151 be referred to the Committee on Finance, Ways and Means.

MURPHY (Shelby), *Chairman.*

Under the rules, House Bills Nos. 170, 968 and 1204 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 510, 784 and 1151 to the Committee on Finance, Ways and Means.

**STATE AND LOCAL GOVERNMENT**

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 372, 473, 551, 597 (with amendment), 763, 1012, 1014 (with amendment), 1034, 1093 and 1173 and further recommend that pursuant to House Rule No. 70, House Bills Nos. 763, 1034 and 1173 be referred to the Committee on Finance, Ways and Means.

MILLER, *Chairman.*

Under the rules, House Bills Nos. 372, 473, 551, 597, 1012, 1014 and 1093 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 763, 1034 and 1173 to the Committee on Finance, Ways and Means.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, April 9, 1981: House Joint Resolution No. 100, House Bills Nos. 879, 826, 506, 631, House Resolution No. 17, House Bills Nos. 1056, 592, 593, House Joint Resolution No. 99, House Bills Nos. 1098, 1075, 1126, 1048, 1244, 1105, 729, 728, 553 and 1019.

GILL, *Chairman.*

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1022, 1134 and 1266.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1254—To regulate Milan Special School District;

1260—To create special juvenile court, Gibson County; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

**REPORT OF DELAYED BILLS COMMITTEE**

Pursuant to Rule No. 76, the Delayed Bills Committee has met and approved House Bills Nos. 1265 and 1267 for consideration by the appropriate standing committee.

Ned R. McWherter

James M. Henry

S. Thomas Burnett

**SPONSOR ADDED**

Without objection the rules were suspended to allow the following member to add his name as sponsor to the bill as indicated below, the prime sponsor having agreed to such addition:

House Bill No. 515—McAfee

**SPONSOR REMOVED**

On motion of Mr. Webb, his name was removed as sponsor of House Bill No. 1044.

**ENGROSSED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 436, 479, 512, 532, 893, 1011, 1053 and 1078; and House Joint Resolution

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No. 178; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.

942—To amend Section 56-7-902, Code; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

392—To make certain provisions, criminal injuries compensation fund;

692—To establish litigation tax, Houston County;

991—To enact litigation tax, Humphreys County;

1250—To provide for litigation tax, Cheatham County;

1257—To make certain provisions, Bledsoe County Hospital; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

35—Relative to continuing study, Rehabilitation Act of 1973;

178—Relative to honoring Henry R. Evans; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
*Chief Clerk.*

**ENGROSSED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 340, 832, 834 and 1091; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
*Chief Engrossing Clerk.*

On motion of Mr. Burnett, the House adjourned until 10:00 a.m. tomorrow.